

AGENDA BILL APPROVAL FORM

Agenda Subject: Parking Enforcement Regulations		Date: July 29, 2009
Department: Public Works	Attachments: Ordinance No. 6247	Budget Impact:
Administrative Recommendation: City Council introduce and adopt Ordinance No. 6247.		
Background Summary: <p>Ordinance No. 6247 provides for amendment to various code sections and clarifies regulations regarding parking enforcement and the parameters of streets to which those regulations apply. This Ordinance also addresses parking restrictions adjacent to traffic islands, and clarifies the definition and parking restrictions of planting strips, including a sunseting of the current parking allowance. Fire lane restrictions area also clarified, as are those for mail boxes and disabled parking. Penalty provisions are also amended.</p> <p>By way of history, in November 2008, the Auburn City Council adopted Ordinance No. 6211, which created a pilot project wherein citizens would be allowed to park on "planting strips" in the City. A planting strip was initially defined as follows:</p> <p><i>"For streets with curb and gutter, the area between the curb and the adjoining property line, exclusive of any sidewalk or pedestrian trail present. For streets with a rolled curb or no curb, Planting Strip means the area between the edge of the pavement and any sidewalk or pedestrian trail present, or if no such sidewalk or trail is present, the area between the edge of the pavement and the adjoining property line."</i></p> <p>Ordinance No. 6211 was intended to give citizens the opportunity to park on planting strips (as then defined) and for them to then give comments to the City Council regarding the feasibility of this parking solution. That Ordinance contained an initial sunset date of April 30, 2009. After that date, parking on</p> <p>W0803-1</p> <p>O1.2, O4.10</p>		
Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____		Reviewed by Departments & Divisions: <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input type="checkbox"/> Public Works <input type="checkbox"/> Information Services <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____ <div style="text-align: right;">Call for Public Hearing ____/____/____</div>		
Councilmember: Cerino		Staff: Dowdy
Meeting Date: August 3, 2009		Item Number: VIII.A.1

landscape strips would have been prohibited unless the City Council took further action. On April 20, 2009, Ordinance No. 6237 was adopted, which extended the original sunset date of April 30, 2009 to August 31, 2009. Ordinance no. 6247 merely incorporates the same sunset date that was extended by Ordinance No. 6237.

Public Works staff reported to the Public Works Committee on July 6, 2009, regarding the citizen comments received related to planting strip parking. The Public Works Committee asked staff to do further research in this matter and report back to it on August 3, 2009. Unless the City Council takes further or different action based on staffs' report, parking on planting strips will be prohibited after August 31, 2009.

The current proposed version of Ordinance No. 6247 would extent the test period to October 31, 2009 and thereafter would allow parking in planting strip in the residential areas of the city above the Valley Floor – where parking is more limited. Thus, citizens would be able to park in graveled and/or impervious areas as long as they are not violating any other section of the parking code (not impeding vehicular or pedestrian traffic, etc.).

W0803-1 ORD 6247

O1.2, O4.10

ORDINANCE NO. 6 2 4 7

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AMENDING
SECTIONS 10.36.020, 10.36.175, 10.36.205,
10.36.240, 10.36.255, 10.36.262, 10.36.265,
10.36.268, 10.36.270 AND 10.36.350 OF THE
AUBURN CITY CODE, RELATING TO STOPPING,
STANDING, AND PARKING

WHEREAS, the Auburn City Code includes public safety regulations which address traffic and parking regulations enforceable within the City; and

WHEREAS, the current provisions of the City Code define parking in terms of the types of streets to which regulations apply and enforcement alternatives; and

WHEREAS, a review of the parking regulations indicates a propriety in amending those regulations to meet current needs and to clarify regulatory provisions, including parking regulations in the vicinity planting strips and adjacent to traffic circles and traffic islands; and

WHEREAS, the City Council would like its citizens to become acquainted with and educated about the changes to the parking code, particularly those changes dealing with parking in front of mailboxes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That section 10.36.020 of the Auburn City Code is amended to read as follows:

10.36.020 Definitions.

A. The definition of words and phrases contained in RCW 46.04.010 through 46.04.700, except 46.04.150 and 46.04.355, adopted

by reference in Chapter 10.04 ACC, shall, for the purpose of this chapter, have the same meanings ascribed to the words and phrases therein.

B. The following words and phrases, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, unless where used the context thereof clearly indicates to the contrary:

1. "Bicycle lane" means the portion of the travel way for the movement of bicycles.

2. "Commercial loading zone" means a designated portion of the street along the curb reserved for use in loading and unloading commodities, merchandise, produce, freight or animals by commercial vehicles only.

3. "Individual parking space" means a portion of the paved section of the street, of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked, as shall be specified and marked off by the street division of the city.

4. "Median lane" means a speed change lane within the median to accommodate left turning vehicles.

5. "Nonmetered parking zones" means portions of streets described and established by the city council as zones within which the parking of vehicles shall be controlled, regulated and inspected by the parking enforcement personnel of the city.

6. "Parking" means the standing of a vehicle upon a street, whether such vehicle is occupied or not, and whether such vehicle is accompanied or not, by an operator, for a period of time in excess of two minutes.

7. "Passenger loading zone" means a designated portion of the street along the curb reserved for use in loading and unloading passengers by passenger vehicles only.

8. "Planting Strip" means, for streets with curb and gutter, the area between the curb and the adjoining property line, exclusive of any sidewalk or pedestrian trail present. For streets with a rolled curb or no curb, Planting Strip means the area between the edge of pavement and any sidewalk or pedestrian trail present, or if no such sidewalk or trail is present, the area between the edge of the pavement and the adjoining property line.

9. "Recreational vehicle" means a vehicular-type unit primarily designed for recreational camping or recreational travel use that (a) has its own motive power, or (b) is mounted on, or (c) is towed by another vehicle, whether attached or unattached to a towing vehicle.

10. "Residential neighborhood" means an area where the majority of property in the vicinity is used for residential purposes and/or is zoned for residential uses in the city.

11. "Street" means and includes streets, avenues, ways, boulevards, drives, highways and all places, except private alleys, open to

the public for the use of vehicles. Street also means unpaved areas within the right of way.

12 "Traffic Island" shall mean a curbed area in a roadway from which traffic is excluded.

4213. "Traffic lane" means the portion of the traveled way for the movement of a single line of vehicles.

4314. "Traveled way" means the portion of roadway for the movement of vehicles, exclusive of shoulder. (Ord. 6222 § 1, 2009; Ord. 6211 § 1, 2008; Ord. 5684 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.010.)

Section 2. Amendment to City Code. That section 10.36.175 of the

Auburn City Code is amended to read as follows:

10.36.175 Fire lanes and zones.

A. Definitions. The following definitions shall apply in the interpretation and enforcement of this section:

1. "Fire lane" means that area within any public right-of-way, easement, or private property designated for the purpose of permitting fire trucks and other fire-fighting or emergency equipment to use, travel upon and park.

2. "Park," "parking," "stop," "stand" or "standing" means the halting of a vehicle, other than an emergency vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or fire official or traffic-control sign or signal.

3. "Vehicle" means a machine propelled by power other than human power, designed to travel along the ground or rail by use of wheels, treads, runners or slides, and transport persons or property, or pull machinery, and shall include, without limitations, automobile, truck, trailer, motorcycle, tractor, buggy, wagon and locomotive.

B. Requirements – Standards. When required by the fire department, hard-surfaced driving lanes shall be provided around facilities which by their size, location, design or contents warrant access which exceeds that normally provided by the proximity of city streets.

1. Lanes shall provide a minimum, unobstructed continuous width of 20 feet and a minimum vertical clearance of 13 feet, 6 inches.

2. Fire lanes shall be either asphalt or reinforced concrete, or when specifically authorized by the fire department, compacted crushed rock may be used.

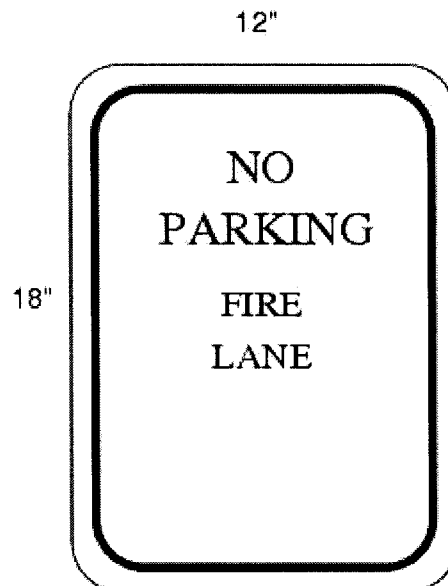
3. Where fire lanes connect to city streets or parking lots, adequate clearances and turning radii shall be provided. All proposed plans must have fire department approval.

C. Fire Lanes as Part of Driveways and/or Parking Areas. The fire department may require that areas specified for use as driveways or private thoroughfares shall not be used for parking. These areas, when specified, shall be marked or identified by one of the two means detailed in subsection E of this section.

D. Parking in a Fire Zone Lane Prohibited. Except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or fire official or traffic-control sign, signal or device, no person shall stop, stand or park a vehicle, whether occupied or not, in a designated fire zone lane, ~~except momentarily to pick up or discharge a passenger or passengers, or temporarily for the purpose of and while actually engaged in loading or unloading property.~~ Vehicles parked in a fire lane zone are subject to immediate impoundment, in addition to other penalties.

E. Fire Lane Identification. Lanes shall be identified by a four-inch-wide line or by painting of the curb in bright yellow color. Marking shall be by one of the following methods:

1. Fire lane signs (in accordance with the Washington State Highway Commission Sign Fabrication Manual M24-70 HT and the Manual of Uniform Traffic-Control Devices issued by the Federal Highway Administration), per illustration:



Lettering Specifications

- 3" – Class C width
- 3" – Class B width
- 2" – Class C width
- 1/2" – Class C width

- a. Reflective in nature;
 - b. Red letters on white background;
 - c. Signs to be spaced 50 feet apart and posted on or immediately next to the curb, or on the building;
 - d. Signs to be no less than four feet from the ground.
2. Fire lane painting (where signs cannot be safely or securely posted, or where required additional to signs).

a. Block letters 24 inches high, 12 inches wide and four-inch stroke stating "FIRE LANE – NO PARKING" shall be painted on the lane at 50-foot intervals in bright yellow color using paint that shall be suited for traffic markings.

3. ~~Alternate Materials and Methods. The chief may modify any of the provisions herein where there are practical difficulties in the way of carrying out the strict letter of the standard; provided, that the spirit of the code shall be complied with, public safety secured and substantial justice done. The particulars of such modification shall be granted or allowed and the decision of the chief shall be entered upon the records of the department. The City may modify its method of marking fire lanes if the provisions of this section are impractical. This includes authorizing the City Engineer to include references to codes and/or ordinances on the signs, but the inclusion or exclusion of that or any other language shall not affect the enforceability of the fire lane restrictions so long as the sign clearly identifies a fire lane and is in accordance with the Washington State Highway Commission Sign Fabrication Manual M24-70 HT and the Manual of Uniform Traffic-Control Devices issued by the Federal Highway Administration.~~

F. Existing Buildings. When the fire department determines that a hazard due to inaccessibility of fire apparatus exists around existing buildings, they may require fire lanes to be constructed and maintained as detailed in subsections B and C of this section.

~~G. Enforcement. It shall be the joint duty of the Auburn police chief and the Auburn fire chief and/or their authorized designee(s) to enforce this section as related to subsection D of this section. It shall be the duty of the Auburn fire chief or his authorized designee(s) to enforce the other subsections of this section.~~

HG. Violation. It is a violation of this section for any person, firm or individual to sign or to attempt to designate an unauthorized fire zone.

IH. Penalties. Any person violating any of the provisions of this section has committed an infraction and shall be fined \$75.00. (Ord. 5724 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4188 §§ 1 – 9, 1986.)

Section 3. Amendment to City Code. That section 10.36.205 of the

Auburn City Code is amended to read as follows:

10.36.205 Parking ain unlicensed vehicle.

A. It is a violation of this section to stop, stand or park a vehicle on a street, highway, alley or public property within the city limits of the city unless such vehicle possesses a proper and current vehicle license plate or plates, and such plate or plates are properly mounted thereon in accordance with the State of Washington Department of Licensing rules and regulations.

B. It is a violation of this section to stop, stand or park a vehicle on a street, highway, alley or public property within the city limits of the city with switched license plates or switched license plate tabs (license plates/tabs belonging on another vehicle).

C. It is a violation of this section to stop, stand or park a vehicle on a street, highway, alley or public property within the city limits of the city without current, properly displayed month and year license tabs.

D. Penalty. Any violation of this section shall be an infraction and punishable as follows:

(i) For violations of 10.36.205A and 10.36.205B, by a monetary penalty of \$86.00.

(ii) For violation of 10.36.205C, when the license tabs have been expired up to 45 days, by a monetary penalty of \$86.00.

(iii) For violation of 10.36.205C, when the license tabs expired more than 45 days, by a monetary penalty of \$101.00.

Provided, that any vehicle with license tabs expired more than 45 days is also subject to immediate impoundment by a ~~police officer~~law enforcement officer in accordance with RCW 46.55.113(2). (Ord. 5841 § 1, 2004; Ord. 5724 § 2, 2002; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4172 § 1, 1986.)

Section 4. Amendment to City Code. That section 10.36.240 of the

Auburn City Code is amended to read as follows:

10.36.240 Parking method generally.

A. Unless other parking requirements are specifically set forth elsewhere in the Auburn City Code, the following shall apply to all vehicle parking within the City. A vehicle parked on a ~~one-way~~ street shall be headed in the direction of travel of the adjacent lane, or in the direction of travel designated by traffic signs for such street and when parked parallel shall be parked with the vehicle wheels parallel to and within 12 inches of the curb or edge of the roadway, ~~and further, when a vehicle is parked upon a two-way roadway, it shall be stopped or parked with the right hand wheels parallel to and within 12 inches of the right hand curb or edge of the roadway;~~ provided, however, if the roadway is marked for right-angle parking to the right, the right front wheel of such vehicle shall be ~~next to~~ within 12 inches of the curb or edge of the roadway; and, provided further,

that if the roadway is marked for left-angle parking to the left, the left front wheel of such vehicle shall be ~~next to~~ within 12 inches of the curb or edge of the roadway. In every event this section shall be interpreted so as to require vehicles parked upon the public right-of-way to be parked consistent with the required flow of traffic and facing in the same direction as the flow of traffic for the side of the street where parked.

B. Any person found to have committed a violation of ACC 10.36.240, shall pay a fine of \$40.00 within 15 days from the date of the issuance of such notice, or in the sum of \$50.00 if paid after the fifteenth day from the issuance of said notice, by paying the same directly with the Auburn municipal court. (Ord. 6211 § 4, 2008; Ord. 6129 § 2, 2007; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.140(r).

Section 5. Amendment to City Code. That Section 10.36.255 of the Auburn City Code is amended to read as follows:

10.36.255 Obstructing post office boxes prohibited.

It shall be a violation of the ordinances of the city to stop, stand or park a motor vehicle at any time upon the public highways or public places of the city directly in front of or adjacent to clearly visible ~~residential~~ mail boxes, and or between the hours of 8:00 a.m. and 6:30 p.m., Monday through Saturday, it shall be a violation of the ordinances of the city to stop, stand or park a motor vehicle at any time upon the public highways or public places of the city within fifteen feet of clearly visible mail boxes, or in any other manner that impedes access thereto, except Provided that these parking restrictions shall not apply when vehicles are temporarily stopped, standing or parked in front of or adjacent to mailboxes for the purpose of depositing or picking up mail and only for such brief period of time that mail is actually being picked up or deposited. (Ord. 5841 § 2, 2004; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4851 § 1, 1996; Ord. 3339 § 1, 1978; Ord. 3165 § 1, 1977.)

Section 6. Amendment to City Code. That Section 10.36.262 of the Auburn City Code is amended to read as follows:

10.36.262 Chain parking unlawful.

A. It shall be an infraction for any person to move and re-park a vehicle parked on the street within ~~two~~ one blocks of the original parking space in order to avoid a parking time limit.

B. It shall be an infraction for any person to move and re-park a vehicle parked in a parking lot to another space within the same parking lot in order to avoid a parking time limit.

C. For the purposes of this section, a block shall be defined as a city street or alley section located between consecutive intersections.

D. A violation of this section shall be an infraction punishable by a fine of \$50.00. (Ord. 6129 § 7, 2007.)

Section 7. Amendment to City Code. That Section 10.36.265 of the Auburn City Code is amended to read as follows:

10.36.265 Violation.

Any person found to have committed a violation of ACC 10.36.100 through 10.36.240~~245~~, excluding ACC 10.36.175, 10.36.190, 10.36.191, and 10.36.205 and 10.36.240, shall pay a fine of \$30.00 within 15 days from the date of the issuance of such notice, or in the sum of \$40.00 if paid after the fifteenth day from the issuance of said notice, by paying the same directly with the Auburn municipal court. It shall be a separate violation, subject to the fines and penalties provided herein, chargeable independently and successively, for each instance of overtime parking when the same vehicle is parked for consecutive periods longer than the parking time limit. The monetary penalty provided for by this section may be forfeited, or a contested or mitigation~~ed~~ hearing may be requested as authorized by law. (Ord. 6129 § 3, 2007; Ord. 5768 § 1, 2003; Ord. 5724 § 3, 2002; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4218 § 1, 1987; Ord. 3338 § 1, 1978.)

Section 8. Amendment to City Code. That Section 10.36.268 of the Auburn City Code is amended to read as follows:

10.36.268 Disabled parking – Violation.

A. A parking space or stall for a physically disabled person shall be indicated by:

1. ~~A painted state-approved handicap symbol on the pavement situated in the center of the parking stall designating handicap parking for public and private property parking, except for conversions of single-family residences to nonresidential uses within the RO district; and~~

2. ~~A~~ a vertical sign, between 48 and 60 inches off the ground, with the international symbol of access described under RCW 70.92.120 displaying the notice "State disabled parking permit required" and a warning that other vehicles without permits ~~will be~~ are subject to impounded.

B. Any person who meets the criteria for special parking privileges under Chapter 46.16 RCW shall be allowed free of charge to park a vehicle being used to transport that person ~~for unlimited periods of time in parking zones or areas which that~~ are otherwise restricted as to the

length of time parking is permitted. This section does not apply to those zones or areas in which the stopping, parking or standing of all vehicles is prohibited or which are reserved for special types of vehicles. The person shall obtain and display a special card, decal, or license plate under Chapter 46.16 RCW to be eligible for the privileges set forth in this section. The display card must be hung from the rearview mirror and be visible through the windshield, or placed in a clearly visible location, face up on the dashboard.

C. No person shall stop, stand or park a vehicle in a properly posted and marked parking space or stall indicated for a physically disabled person as provided in subsection A of this section for any purpose or length of time unless such vehicle displays a special license plate, card or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW.

D. No person shall stop, stand, or park a vehicle in any crosshatched area immediately adjacent to a properly posted and marked parking space or stall indicated for a physically disabled person as provided in subsection A of this section.

DE. A vehicle may be impounded with a parking citation to its owner when a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW is parked in a stall or space clearly and conspicuously marked therefor whether the space is provided on private property without charge or on public property, as signed and marked as set forth in subsection A of this section. The issuance of a previous parking citation to said vehicle for violation of the terms of this section shall constitute said prior notice.

EE. No person shall stop, stand or park a vehicle in front of or within 20 feet of a wheelchair ramp on a public street, except for marked, disabled parking stalls.

EG. Any violation of this section shall be an infraction and punishable by a monetary penalty of ~~\$250.00~~300.00. (Ord. 6231 § 10, 2009; Ord. 5724 § 4, 2002; Ord. 5608 § 1, 2001; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4769 § 2, 1995; Ord. 4358 §§ 2, 3, 1989; Ord. 4023 § 1, 1985.)

Section 9. Amendment to City Code. That Section 10.36.270 of the

Auburn City Code is amended, effective until October 31, 2009, to read as follows:

10.36.270 Prohibited parking places.

A. It is unlawful for the operator of a vehicle to stop, stand, park or angle park such vehicle in or on any of the following places except

when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of a police officer or traffic-control sign or signal:

1. Within an intersection area;
2. Within 20 feet of an uncontrolled intersection;
3. Within 30 feet of an intersection controlled by a stop sign, yield sign, or traffic-control signal;
4. On a crosswalk or within 20 feet of a crosswalk, whether marked or unmarked;
5. In front of or within 50 feet of the driveway entrance to any fire or police station or within any marked area contiguous to such driveway, when properly signed;
6. In front of or within a fire or emergency service access or an area signed for other safety access purposes;
7. In front of or within 15 feet of a fire hydrant;
8. Within any space marked as a fire lane;
9. In front of a public or private driveway, or within five feet of the end of the curb radius leading thereto;
10. On a sidewalk, pedestrian path, or planting strip, Provided that parking is allowed on planting strips within the residential zones of the City where the planting strip is greater than 8 feet in width between the edge of pavement and the sidewalk or the edge of right-of-way if there is no sidewalk, and the parked vehicle does not obstruct the traveled way or the sidewalk;
11. Alongside or opposite any street excavation or obstruction when such stopping, parking or angle parking would obstruct traffic;
12. In any alley, except that trucks or delivery vehicles may park or angle park in alleys for such time, not in excess of 30 minutes, as may be necessary for the expeditious loading or unloading of such vehicles or the delivery or pickup of articles or materials, unless otherwise restricted by this chapter;
13. Upon any bridge, overpass, underpass, trestle, or approaches thereto;
14. On that portion of any street contiguous to and opposite any outside court, corridor, passage, fire escape, exit or entrance door or any other place adjacent to, or any door opening in any outer wall of any building containing, in whole or in part, any theater, public auditorium, church, dance hall or other place of public assembly through which the public must pass to leave such building, while such building is being utilized for public gatherings; and it shall be incumbent upon and the duty of the owner or agent of the property used for the purpose herein specified to designate such prohibited areas by the placement of stanchions or signs or curb markings of the form and type satisfactory to the city engineer;

15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

16. At any place where official traffic signs have been erected at the direction of the city engineer prohibiting parking and/or angle parking, either at all times or at such times as are indicated upon signage giving notice thereof;

17. Outside of the limits of the individual parking spaces (stalls) designated for vehicular on-street parking;

18. Within 30 feet of the nearest rail of a railroad crossing;

19. At any place where all official signs prohibit stopping;

20. Within traffic lanes that are less than 18 feet wide on arterial and collector roadways, as designated in the comprehensive transportation plan, except when authorized by sign;

21. Within median lanes in the traveled way;

22. Within roadway shoulders that are less than eight feet wide;

23. Within marked bicycle lanes;

24. Upon any street or public way for the principal purposes of displaying the vehicles for sale or for advertising services for vehicles; or

25. Upon any street or public way for the purpose of doing any work on, maintaining or repairing any vehicle except for repairs necessitated by an emergency;

26. Within any street side drainage ditch or drainage swale;

27. Where prohibited by signage;

28. Adjacent to a traffic island.

B. No person shall move a vehicle not owned by him into any such prohibited area or away from a curb such distance as is unlawful.

C. If any person wishes a different parking restriction sign placement or a different time parameter for any parking restrictions under this section, said person may forward such request to the city engineer, the mayor, the city council public works committee, or the full city council; provided, that the opportunity to request such change does not create a right to such change, and the ultimate decision on such request shall be with the city engineer, then the mayor, then the city council public works committee, and then the full city council.

D. Violation – Penalty. Any person who violates this section has committed an infraction and, except for those subsections set forth in Table 270-1 below, shall pay a fine of \$30.00 within 15 days from the date of issuance of a notice of violation or of \$40.00 if paid after the fifteenth day from issuance of the notice.

Any person who violates any of the subsections listed in Table 270-1 shall pay a fine as set forth in that table.

Table 270-1

<u>Subsection</u>	<u>If paid within 15 days</u>	<u>If paid after 15th day</u>
<u>10.36.270(1)</u>	<u>\$40.00</u>	<u>\$50.00</u>
<u>10.36.270(2)</u>	<u>\$40.00</u>	<u>\$50.00</u>
<u>10.36.270(3)</u>	<u>\$40.00</u>	<u>\$50.00</u>
<u>10.36.270(7)</u>	<u>\$50.00</u>	<u>\$60.00</u>
<u>10.36.270(8)</u>	<u>\$50.00</u>	<u>\$60.00</u>
<u>10.36.270(10)</u>	<u>\$40.00</u>	<u>\$50.00</u>
<u>10.36.270(16)</u>	<u>\$50.00</u>	<u>\$60.00</u>
<u>10.36.270(17)</u>	<u>\$50.00</u>	<u>\$60.00</u>

(Ord. 6237 § 1, 2009, Ord. 6211 § 6, 2008, Ord. 6129 § 4, 2007; Ord. 6082 § 1, 2007; Ord. 5684 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.140.)

Section 10. Amendment to City Code. That Section 10.36.270 of the Auburn City Code is amended, effective after October 31, 2009, to read as follows:

10.36.270 Prohibited parking places.

A. It is unlawful for the operator of a vehicle to stop, stand, park or angle park such vehicle in or on any of the following places except when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of a police officer or traffic-control sign or signal:

1. Within an intersection area;
2. Within 20 feet of an uncontrolled intersection;
3. Within 30 feet of an intersection controlled by a stop sign, yield sign, or traffic-control signal;
4. On a crosswalk or within 20 feet of a crosswalk, whether marked or unmarked;
5. In front of or within 50 feet of the driveway entrance to any fire or police station or within any marked area contiguous to such driveway, when properly signed;
6. In front of or within a fire or emergency service access or an area signed for other safety access purposes;
7. In front of or within 15 feet of a fire hydrant;
8. Within any space marked as a fire lane;
9. In front of a public or private driveway, or within five feet of the end of the curb radius leading thereto;
10. On a sidewalk, pedestrian path, or planting strip, Provided that parking is allowed on planting strips within the residential zones of the

City located on West Hill and Lea Hill and South Auburn areas above the Valley Floor only (residential areas above the Valley Floor) where there is no curb and where the planting strip is greater than 8 feet in width between the edge of pavement and the sidewalk or the edge of right-of-way if there is no sidewalk, and the parked vehicle does not obstruct the traveled way or sidewalk;

11. Alongside or opposite any street excavation or obstruction when such stopping, parking or angle parking would obstruct traffic;

12. In any alley, except that trucks or delivery vehicles may park or angle park in alleys for such time, not in excess of 30 minutes, as may be necessary for the expeditious loading or unloading of such vehicles or the delivery or pickup of articles or materials, unless otherwise restricted by this chapter;

13. Upon any bridge, overpass, underpass, trestle, or approaches thereto;

14. On that portion of any street contiguous to and opposite any outside court, corridor, passage, fire escape, exit or entrance door or any other place adjacent to, or any door opening in any outer wall of any building containing, in whole or in part, any theater, public auditorium, church, dance hall or other place of public assembly through which the public must pass to leave such building, while such building is being utilized for public gatherings; and it shall be incumbent upon and the duty of the owner or agent of the property used for the purpose herein specified to designate such prohibited areas by the placement of stanchions or signs or curb markings of the form and type satisfactory to the city engineer;

15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

16. At any place where official traffic signs have been erected at the direction of the city engineer prohibiting parking and/or angle parking, either at all times or at such times as are indicated upon signage giving notice thereof;

17. Outside of the limits of the individual parking spaces (stalls) designated for vehicular on-street parking;

18. Within 30 feet of the nearest rail of a railroad crossing;

19. At any place where all official signs prohibit stopping;

20. Within traffic lanes that are less than 18 feet wide on arterial and collector roadways, as designated in the comprehensive transportation plan, except when authorized by sign;

21. Within median lanes in the traveled way;

22. Within roadway shoulders that are less than eight feet wide;

23. Within marked bicycle lanes;

24. Upon any street or public way for the principal purposes of displaying the vehicles for sale or for advertising services for vehicles; or

25. Upon any street or public way for the purpose of doing any work on, maintaining or repairing any vehicle except for repairs necessitated by an emergency;

26. Within any street side drainage ditch or drainage swale;

27. Where prohibited by signage;

28. Adjacent to a traffic island.

B. No person shall move a vehicle not owned by him into any such prohibited area or away from a curb such distance as is unlawful.

C. If any person wishes a different parking restriction sign placement or a different time parameter for any parking restrictions under this section, said person may forward such request to the city engineer, the mayor, the city council public works committee, or the full city council; provided, that the opportunity to request such change does not create a right to such change, and the ultimate decision on such request shall be with the city engineer, then the mayor, then the city council public works committee, and then the full city council.

D. Violation – Penalty. Any person who violates this section has committed an infraction and, except for those subsections set forth in Table 270-1 below, shall pay a fine of \$30.00 within 15 days from the date of issuance of a notice of violation or of \$40.00 if paid after the fifteenth day from issuance of the notice.

Any person who violates any of the subsections listed in Table 270-1 shall pay a fine as set forth in that table.

Subsection	Table 270-1	
	If paid within 15 days	If paid after 15 th day
10.36.270(1)	\$40.00	\$50.00
10.36.270(2)	\$40.00	\$50.00
10.36.270(3)	\$40.00	\$50.00
10.36.270(7)	\$50.00	\$60.00
10.36.270(8)	\$50.00	\$60.00
10.36.270(10)	\$40.00	\$50.00
10.36.270(16)	\$50.00	\$60.00
10.36.270(17)	\$50.00	\$60.00

(Ord. 6247 § 10, 2009, Ord. 6237 § 1, 2009, Ord. 6211 § 6, 2008, Ord. 6129 § 4, 2007; Ord. 6082 § 1, 2007; Ord. 5684 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.140.)

Section 11. Amendment to City Code. That Section 10.36.350 of the Auburn City Code is amended to read as follows:

10.36.350 No parking areas—Identification

The city engineer shall may paint the curb adjoining all no parking and prohibited parking areas yellow or ~~shall~~ may post signs prohibiting parking on the curb adjoining no parking and prohibited parking areas in order to identify such restricted zones. It is unlawful for any other person to paint the curbs or post no parking signs in such restricted zones unless the person is given authority to do so by the city council. (Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.160.)

Section 12. Interpretation of Ordinances. This Ordinance and prior Ordinance No. 6211 and Ordinance No. 6237 shall be interpreted and construed in conformity with each other. Except as expressly modified and amended herein, and in addition to the changes as indicated herein, the City Council, by the adoption hereof, ratifies the amendments to the City Code as set forth in Ordinance No. 6211 and Ordinance No. 6237, including the effective extension of Section 5 of Ordinance No. 6211 to conform to the extension provided of Section 6 (Ordinance No. 6211) by Section 1 of Ordinance No. 6237.

Section 13. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 14. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 15. Effective date.

This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

CITY OF AUBURN

ATTEST:

PETER B. LEWIS
MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____